

UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Patent Interference No. 105,492

COGNETIX, INC.  
and Xenome Ltd.  
(6,767,896),  
Junior Party,

v.

XENOME LTD.  
(10/918,096),  
Senior Party.

Before: TORCZON, TIERNEY, and MOORE, *Administrative Patent Judges*.

TORCZON, *Administrative Patent Judge*.

JUDGMENT – Bd.R. 127(b)

ABANDONMENT OF CONTEST

- 1       Cognetix did not file a priority statement. Cognetix did not respond to
- 2   an order to show cause why judgment should not be entered against it.
- 3   Paper 40. Cognetix confirmed that it is no longer contesting the
- 4   interference. Xenome supports entry of judgment against the involved
- 5   patent. Paper 43. It is now appropriate to enter judgment.
- 6       Judgment is ENTERED AGAINST Cognetix for the subject matter of
- 7   Count 1, the sole count.

1           Claims 1-6, 11, 13-20, and 22 of the involved 6,767,896 patent shall  
2 be CANCELLED.

3           A copy of this judgment shall be ENTERED in the records of the  
4 involved application and patent.

5           The involved 10/918,096 application shall be promptly RETURNED  
6 to the examining corps.

cc:

Robert A. Hodges and David E. Huizenga, Needle & Rosenberg, P.C., of  
Atlanta, Georgia

Kenneth J. Meyers and Salvatore J. Arrigo, Finnegan, Henderson, Farabow,  
Garrett & Dunner, L.L.P., of Washington, D.C.

**Desperтт, Sonja**

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**From:** Desperтт, Sonja on behalf of Interference Trial Section  
**Sent:** Friday, August 17, 2007 11:59 AM  
**To:** 'Hodges, Robert (NEEDLE & ROSENBERG)'; 'David Huizenga (NEEDLE & ROSENBERG)'; 'Meyers, Ken (FINNEGAN HENDERSON)'; 'Salvatore J. Arrigo'  
**Subject:** Interference 105492 (RT) Paper No. 44 - Judgment-Bd.R. 127(b)-Abandonment of Contest  
**Attachments:** 105492.044.pdf

8/17/07